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| 09/738,984 | 12/19/2000 | Ho Joong Jeong | P-164 | 2684 |
| 34610 | 7590 | 03/19/2004 | EXAMINER | |
| FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153 | | | ZEWDU, MELESS NMN | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2683 | |
| | | | DATE MAILED: 03/19/2004 | |

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/738,984

Applicant(s)

JEONG, HO JOONG

Examiner

Meless N Zewdu

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-8,10-13,15-18,20-22 and 25 is/are rejected.
- 7) ☐ Claim(s) 3,4,9,14,19,23 and 24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment (A)

1. This action is in response to the communication filed on 12/29/03.
2. Claims 20-25 have been added.
3. Claims 1-25 are pending in this action.
4. Ground of rejection, with the exception of claim 10, was changed due to applicant's persuasive argument and the discovery of a new reference (US 5,966,081).

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 25 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In this instance, --- phone locking is "nnnnnn", where n is a digit from 0 to 9" was not defined as such.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 10 is rejected under 35 U.S.C. 102(b) as being anticipated by Meche et al. (Meche) (US 5,600,708).

As per claim 10: a method for controlling phone-locking of a mobile communication terminal including the steps of;

Receiving an order message reads on '708 (see col. 3, lines 16-22; col. 5, lines 20-45).

Reporting a lost terminal can be considered as an order since the end results of both the reporting and ordering are the same, which is having the lost terminal locked.

Checking whether the received order message is a message for phone-locking reads on '708 (see col. 5, lines 20-45).

Reading a password from a memory in case that the order message is a message for phone-locking, reads on '708 (see col. 3, lines 9-67; col. 5, lines 20-45; col. 6, lines 19-31). MT's executing internal UIM locking procedures includes reading a password from a memory.

Enabling a variable value for phone-locking reads on '708 (see col. 5, line 57-col. 9, line 9, line 42). List indicates variable value for phone-locking.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 5-8, 10-13, 15-18, 20-22 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meche et al. (Meche) (US 5,600,708) in view of Chesnutt (US 5,966,081).

As per claim 1: a method for controlling phone-locking of a mobile communication terminal comprising the steps of:

Transmitting an order message for phone-locking reads on '708 (see col. 2, lines 1-22; col. 3, lines 16-22).

Setting a phone-locked state for the lost terminal according to the transmitted order message for phone-locking reads on '708 (see col. 5, lines 20-45; col. 6, lines 32-36).

But, Meche does not explicitly teach about receiving a phone-locked request signal from a user so as to lock a lost terminal, as claimed by applicant. However, in a related field of endeavor, Chesnutt teaches about a paging activated electronic security system, wherein an antitheft system is provided to render an electronic device inoperable via a

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paging network in response to the owner's request for such an action upon discovering that the electronic device was lost (see col. 2, line 27-col. 3, line 47). Although Chesnutt's reference is focused onto laptop computers, it is taught that any electronic device controlled by a microprocessor can benefit from the system (see col. 2, lines 3236). Since mobile phones are electronic devices controlled by a microprocessor, the two references are combinable. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Meche's reference with Chesnutt's teaching for the advantage of providing a low cost antitheft system that can render a stolen equipment inoperable (see col. 1, lines 38-42).

As per claim 2: the method wherein the order message is transmitted from a mobile communication service provider through a base station to the lost terminal reads on '708 (see col. 2, lines 1-22; col. 5, lines 5-11).

As per claim 5: the method wherein setting a phone-locked state comprises:

Receiving an order message from a base station reads on '708 (see fig. 1, elements 50 and 10; col. 5, lines 5-11).

Checking whether the received order message is a message for phone-locking reads on '081 (see col. 3, line 61-col. 4, line 3).

Reading a stored password, setting a phone-locked state and rebooting the terminal, in case that the received order message is a message for phone-locking reads on '081 (see col. 3, line 61-col. 4, line 4; col. 5, lines 20-30).

As per claim 6: the method wherein the terminal executes a corresponding order command in case that the received order message is a general order message reads

on '708 (see col. 5, lines 20-45). It is obvious that if the or when the message is not a command to activate a phone –locking, it is a general service message.

As per claim 7: the method wherein the order message for phone-locking comprising:

A message type field reads on '708 (see col. 9, lines 12-43).

An other protocol type field reads on '708 (see col. 7, lines 11-18).

An order specific field reads on '708 (see col. 9, lines 22-42). Each of the codes in the recited paragraph represents 'order specific field' associated with a message.

As per claim 8: the method wherein the terminal judges of the order message for phone-locking on the basis of the order specific field value of the order message, reads on '708 (see col. 9, lines 22-42).

As per claim 11: the method wherein the order message is transmitted from a mobile communication service provider through a base station to the lost terminal reads on '708 (see col. 2, lines 1-22; col. col. 5, lines 5-11).

As per claim 12: the method wherein the order message for phone-locking comprising:

A message type field reads on '708 (see col. 9, lines 12-43).

An other protocol type field reads on '708 (see col. 7, lines 11-18).

An order specific field reads on '708 (see col. 9, lines 22-42). Each of the codes in the recited paragraph represents 'order specific field' associated with a message.

As per claim 13: the method wherein the terminal judges of the order message for phone-locking on the basis of the order specific field value of the order message reads on '708 (see col. 8, lines 57-67; col. 9, lines 22-42).

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As per claim 15: a method for controlling phone-locking of a mobile communication terminal comprising the steps of;

transmitting an order message to a phone-locking request reads on '708 (see 3, lines 16-22; col. 4, lines 10-20; col. 4, line 66-col. 5, line 1). The prior art advantageously teaches that a network can remotely enable and disable if a mobile station is reported stolen/and or by detecting misuse of the device and making follow up using three lists (see col. 4, lines 10-20).

Setting the state of the lost terminal as a phone-locked state according to the transmitted order message reads on '708 (see col. 3, lines 16-22, lines 49-52).

Receiving an order message reads on '708 (see col. 3, lines 16-22; col. 5, lines 20-45).

Checking whether the received message is a message for phone-locking reads on '708 (see col. 5, lines 20-45).

Reading a password from a memory in case that the order message is a message for phone-locking reads on '708 (see col. 3, lines 9-67; col. 5, lines 20-45; col. 6, lines 19-31). MT's executing internal UIM locking procedures includes reading a password from a memory.

Enabling a variable value for phone -locking reads on '708 (see col. 5, line 57-col. 9, line 9, line 42). List indicates variable value for phone-locking. But, Meche does not explicitly teach about transmitting an order message to a lost terminal in response to a receiving a request signal from a user, as claimed by applicant. However, in a related field of endeavor, Chesnutt teaches about a paging activated electronic security system, wherein an antitheft system is provided to render an electronic device inoperable via a

paging network in response to the owner's request for such an action upon discovering that the electronic device was lost (see col. 2, line 27-col. 3, line 47). Although Chesnutt's reference is focused onto laptop computers, it is taught that any electronic device controlled by a microprocessor can benefit from the system (see col. 2, lines 3236). Since mobile phones are electronic devices controlled by a microprocessor, the two references are combinable. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Meche's reference with Chesnutt's teaching for the advantage of providing a low cost antitheft system that can render a stolen equipment inoperable (see col. 1, lines 38-42).

As per claim 16: the method wherein the step of transmitting an order message comprising the steps of:

Transmitting an order message to a lost terminal reads on '708 (

Receiving a response signal to the order message from the lost terminal reads on '708 (

Transmitting an order message acknowledge signal to the lost terminal, when the response signal is received

As per claim 17: the features of claim 17 are similar to the features of claim 12. Hence, claim 17 is rejected on the same ground as claim 12.

As per claim 18: the method wherein the terminal recognizes the order message for phone-locking when the order specific field value of the order message is a predetermined value reads on '708 (see col. 9, lines 22-42).

As per claim 20: the method wherein the phone-locking state restricts persons other than the user from using the lost terminal reads on '708 (see col. 2, lines 1-9).

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As per claim 21: the method wherein the phone-locking state allows reception of calls at the lost terminal reads on '081 (see col. 2, lines 27-61).

As per claim 22; the method wherein the phone-locking state restricts persons other than the user from accessing user information reads on "708 (see col.2, lines 1-26).

As per claim 25: the method wherein the transmitted order message for phone-locking is "nnnnnn", where n is a digit from 0 to 9 reads on '081 (see col. 2, lines 10-13).

Allowable Subject Matter

Claims 3, 4, 9, 14, 19, 23 and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments with respect to claims 1, 2, 5-8, 10-13, 15-18, 20-22 and 25 have been considered but are moot in view of the new ground(s) of rejection.

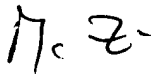
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N Zewdu whose telephone number is (703) 306-5418. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Meless Zewdu



Examiner

13 March 2004.



WILLIAM TROST
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